

# 2007/08 Federal Subsistence Fisheries Proposals



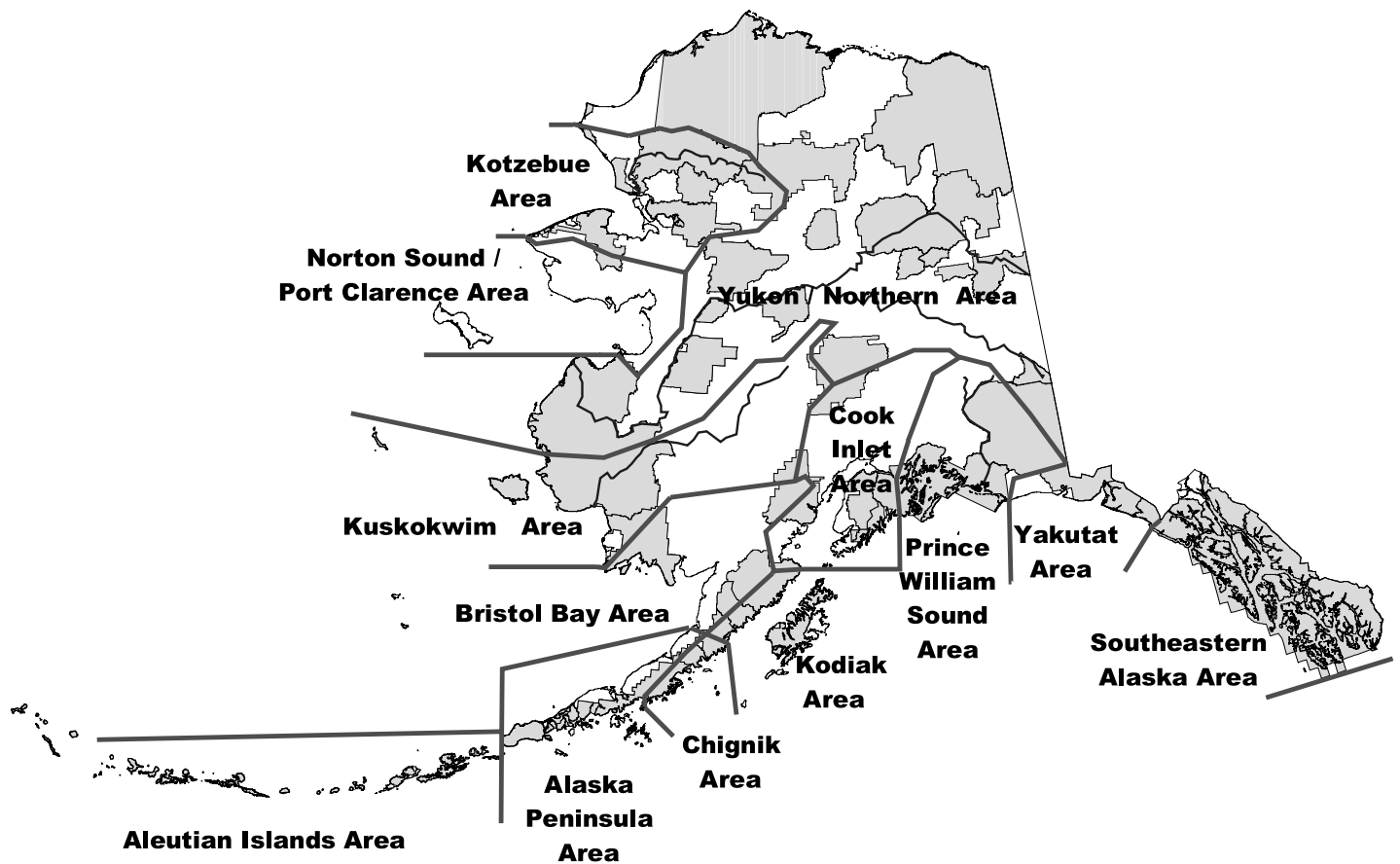
Michaela Okitkun, 11, Kotlik

## **PUBLIC COMMENT PERIOD THROUGH JUNE 30, 2006**

You may submit your written comments on the enclosed proposals to:

Federal Subsistence Board  
Office of Subsistence Management  
3601 C Street, Suite 1030  
Anchorage, Alaska 99503  
E-mail: [subsistence@fws.gov](mailto:subsistence@fws.gov)  
Fax: (907) 786-3898 (Attn: Bill Knauer)

# FEDERAL SUBSISTENCE FISHERY MANAGEMENT AREAS



Ten Federal Subsistence  
Regional Advisory Councils  
represent the following  
regions:

1. Southeast
2. Southcentral
3. Kodiak/Aleutians
4. Bristol Bay
5. Yukon-Kuskokwim Delta
6. Western Interior
7. Seward Peninsula
8. Northwest Arctic
9. Eastern Interior
10. North Slope



Check the web for more information on the Federal Subsistence Management Program  
<http://alaska.fws.gov/asm/home.html>



U.S. FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

# Federal Subsistence Board

3601 C Street, Suite 1030  
Anchorage, Alaska 99503



FOREST SERVICE

Dear Reader:

The Federal Subsistence Board invites your comments on the enclosed proposals to change Federal subsistence fisheries regulations for the 2007/08 regulatory year (April 1, 2007 to March 31, 2008). These proposals seek changes to existing regulations, including Federal customary and traditional use determinations and Federal subsistence open seasons, harvest limits, methods, and means for the taking of fish and shellfish on Federal public lands and waters in Alaska.

You may mail, fax, or e-mail your comments to the Federal Subsistence Board. Use the above address to mail them, fax them to 907-786-3898, or e-mail them to [subsistence@fws.gov](mailto:subsistence@fws.gov). All **comments received by June 30, 2006, will be included in the meeting materials for the appropriate Federal Subsistence Regional Advisory Councils to discuss at their fall 2006 meetings.** These comments will also be provided to the Board at its winter meeting. Any comments received after the June 30th deadline, will be submitted to the Board at its winter meeting. Please reference the proposal number you are commenting on in your written comments.

Before making decisions on these proposals, the Federal Subsistence Board considers technical analyses prepared by its staff, recommendations from the 10 Regional Advisory Councils, and any public comments or testimony it receives on the proposals. Once the Board makes its decisions, the changes will be published as final regulations for the 2007/08 regulatory year, effective April 1, 2007. The Board publishes and distributes the regulations book throughout Alaska.

If you have questions or need additional information, please contact the Office of Subsistence Management toll free at (800) 478-1456 or 786-3888 in Anchorage or visit our website, <http://alaska.fws.gov/asm/home.html>. Regional coordinators are also available to assist you, their phone numbers are listed in this proposal book. Thank you for your interest and participation in the Federal Subsistence Management Program.

Sincerely,

Mitch Demientieff, Chair  
Federal Subsistence Board

# GENERAL INFORMATION

## Federal Subsistence Board

The Federal Subsistence Board oversees the Federal Subsistence Management Program. The Board members include the Alaska directors of five Federal agencies: The U.S. Fish and Wildlife Service (USFWS), National Park Service (NPS), Bureau of Land Management (BLM), Bureau of Indian Affairs (BIA), and USDA Forest Service. The chair is a representative of the Secretary of the Interior.

Federal Subsistence Regional Advisory Councils, State of Alaska representatives, and the general public play an active role in the regulatory process. You can find information about the Federal Subsistence Board on the Subsistence website at <http://alaska.fws.gov/asm/home.html>, or by contacting the Office of Subsistence Management at (800) 478-1456 or (907) 786-3888.

## Regional Advisory Councils

Alaska is divided into ten subsistence resource regions, each represented by a Regional Advisory Council. These ten Councils provide an opportunity for rural Alaskans to contribute in a meaningful way to the management of subsistence resources. Subsistence users have the opportunity to comment and offer input on subsistence issues at Council meetings. Each Council meets at least twice a year. The Councils develop proposals to change Federal subsistence regulations and review proposals submitted by others.

## Council membership

The Secretaries of the Interior and Agriculture appoint Council members. Members must reside in the area they wish to represent and have knowledge of subsistence uses and needs. Each year the Office of Subsistence Management accepts applications and nominations for membership during October–December. If you are interested in applying for membership, please contact Ann Wilkinson or the regional coordinator for your region.

### For information on Regional Advisory Council membership, contact:

Ann Wilkinson  
(800) 478-1456 or (907) 786-3676  
Fax: (907) 786-3898  
[ann\\_wilkinson@fws.gov](mailto:ann_wilkinson@fws.gov)  
<http://alaska.fws.gov/asm/home.html>

## Federal Subsistence Regional Advisory Council Coordinators

Regional Council Coordinators facilitate communication between the Advisory Councils and the Federal Subsistence Board. Each Regional Coordinator is responsible for one or two regions and serves as a contact for the Councils, Federal agency staff, and the public. Contact a Regional Coordinator for more information on the activities of each Council.

### Southeast Region

Bob Schroeder  
JUNEAU  
(800) 586-7895  
or (907) 586-7895  
Fax: (907) 586-7860  
[rschroeder@fs.fed.us](mailto:rschroeder@fs.fed.us)

### Southcentral Region

Donald Mike  
ANCHORAGE  
(800) 478-1456  
or (907) 786-3629  
Fax: (907) 786-3898  
[donald\\_mike@fws.gov](mailto:donald_mike@fws.gov)

### Kodiak/Aleutians and Northwest Arctic Regions

Michelle Chivers  
ANCHORAGE  
(800) 478-1456  
or (907) 786-3877  
Fax: (907) 786-3898  
[michelle\\_chivers@fws.gov](mailto:michelle_chivers@fws.gov)

### Bristol Bay Region

Cliff Edenshaw  
ANCHORAGE  
(800) 478-1456  
or (907) 786-3870  
Fax: (907) 786-3898  
[cliff\\_edenshaw@fws.gov](mailto:cliff_edenshaw@fws.gov)

### Yukon-Kuskokwim Delta Region

Alex Nick  
BETHEL  
(800) 621-5804  
or (907) 543-1037  
Fax: (907) 543-4413  
[alex\\_nick@fws.gov](mailto:alex_nick@fws.gov)

### Western Interior and Eastern Interior Regions

Vince Mathews  
FAIRBANKS  
(800) 267-3997  
or (907) 456-0277  
Fax: (907) 456-0208  
[vince\\_mathews@fws.gov](mailto:vince_mathews@fws.gov)

### Seward Peninsula and North Slope Regions

Barbara Armstrong  
ANCHORAGE  
(800) 478-1456  
or (907) 786-3885  
Fax: (907) 786-3898  
[barbara\\_armstrong@fws.gov](mailto:barbara_armstrong@fws.gov)

## 2007/08 FISHERIES PROPOSALS

PROPOSAL	PROPONENT	SPECIES	GENERAL DESCRIPTION	REGION	PAGE
<b>Statewide - NO PROPOSALS</b>					
<b>Norton Sound-Port Clarence Area - NO PROPOSALS</b>					
<b>YUKON-NORTHERN AREA</b>					
<b>Proposal FP07-01 through FP07-04 have been deferred by the Federal Subsistence Board. See page 6 for an explanation for the Board's deferral of these proposals.</b>					
<b>FP07-01</b>	Eastern Interior Alaska Subsistence Regional Advisory Council	Salmon	Apply the fishing schedule to both commercial & subsistence users throughout season.	9, 5, 6	<b>6</b>
<b>FP07-02</b>	Eastern Interior Alaska Subsistence Regional Advisory Council	Salmon	Establish a set/fixed fishing schedule for both commercial and subsistence users throughout season.	9, 5, 6	<b>7</b>
<b>FP07-03</b>	Eastern Interior Alaska Subsistence Regional Advisory Council	Salmon	Restrict nets to 6 inch or smaller mesh for all users.	9, 5, 6	<b>8</b>
<b>FP07-04</b>	Eastern Interior Alaska Subsistence Regional Advisory Council	Salmon	Restrict nets with 6+ inch mesh to no more than 35 meshes in depth.	9, 5, 6	<b>10</b>
<b>Kuskokwim Area - NO PROPOSALS</b>					
<b>BRISTOL BAY AREA</b>					
<b>FP07-05</b>	Twin Hills Village Council	Salmon	Allow use of a drift gillnet on Togiak River.	4	<b>13</b>
<b>FP07-06</b>	Lake Clark Subsistence Resource Commission	Salmon	Allow snagging, spear, bow/arrow, & capture by hand in Lake Clark and tributaries by residents of Nondalton, Port Alsworth, Pedro Bay, Iliamna, and Newhalen.	4	<b>13</b>
<b>FP07-07</b>	Lake Clark Subsistence Resource Commission	Salmon	Allow use of beach seines in Lake Clark and tributaries by residents of Nondalton, Port Alsworth, Pedro Bay, Iliamna, and Newhalen.	4	<b>14</b>
<b>Alaska Peninsula Area - NO PROPOSALS</b>					
<b>Chignik Area - NO PROPOSALS</b>					
<b>Kodiak Area - NO PROPOSALS</b>					
<b>COOK INLET AREA</b>					
<b>FP07-08</b>	Lake Clark National Park and Preserve	Salmon	Revise customary and traditional use determination for Tuxedni Bay waters to exclude waters draining into Tuxedni Bay and redescribe residency.	2	<b>15</b>
<b>Proposal FP07-09 through FP07-13 have been deferred by the Federal Subsistence Board. See page 16 for an explanation for the Board's deferral of these proposals.</b>					
<b>FP07-09</b>	Ninilchik Traditional Council	All fish	Allow harvest by spear, traps, fish wheel, dip net, set or drift gillnet, beach seine, rod and reel, jigging gear, or handline under a subsistence fishing permit.	2	<b>16</b>
<b>FP07-10</b> <i>(deferred FP06-10)</i>	Teague Vanek	Steelhead	Establish a 5 fish annual limit and allow use of dip net, gillnet, or other means.	2	<b>18</b>

Continued on next page



# 2007/08 FISHERIES PROPOSALS

(continued)

PROPOSAL	PROPONENT	SPECIES	GENERAL DESCRIPTION	REGION	PAGE
<b>FP07-11</b> (deferred FP06-11)	Teague Vanek	Rainbow Trout	Establish a 50 fish annual limit and allow use of dip net or gillnet.	2	<b>18</b>
<b>FP07-12</b> (deferred FP06-12)	Teague Vanek	Lake Trout	Establish a 50 fish annual limit and allow use of gillnet.	2	<b>19</b>
<b>FP07-13</b> (deferred FP06-13)	Teague Vanek	Dolly Varden	Establish a 50 fish annual limit and allow use of dip net or gillnet.	2	<b>19</b>
<b>PRINCE WILLIAM SOUND AREA</b>					
<b>FP07-14</b>	Chris Grimwood, Cordova	Salmon	Provide a 3-month opening in the lower Copper River using dip net or rod & reel with eggs.	2	<b>21</b>
<b>FP07-15</b>	Ahtna Tene Nene' Subsistence Committee	Salmon	Require fish wheels to be removed to above high water mark.	2	<b>21</b>
<b>FP07-16</b>	Ahtna Tene Nene' Subsistence Committee	Salmon	Require fish wheels to be at least 200 feet apart.	2	<b>22</b>
<b>Yakutat Area - NO PROPOSALS</b>					
<b>SOUTHEASTERN ALASKA AREA</b>					
<b>FP07-17</b>	Southeast Alaska Subsistence Regional Advisory Council	All fish	Revise customary and traditional use determination to include residents of Districts 12, 13, & 14 for Districts 12, 13, & 14.	1	<b>24</b>
<b>FP07-18</b>	Southeast Alaska Subsistence Regional Advisory Council	Herring	Close Makhnati Island area to commercial herring harvest during March and April.	1	<b>26</b>
<b>FP07-19</b>	Sitka Tribe of Alaska	Herring	Close Makhnati Island area to commercial herring harvest during March and April.	1	<b>27</b>
<b>FP07-20</b>	Craig Community Association	Sockeye Salmon	Revise open season in the Klawock River and Lake.	1	<b>27</b>
<b>FP07-21</b>	Southeast Alaska Subsistence Regional Advisory Council	Sockeye Salmon	Delete harvest limit numbers in Federal regulations, using State permit regulations instead.	1	<b>28</b>
<b>FP07-22</b>	Mike Vaughn, Sitka	Steelhead	Require reporting of harvest in District 113 within 48 hours of harvest or return to town.	1	<b>29</b>
<b>FP07-23</b>	Mike Vaughn, Sitka	Steelhead	Restrict permit to 1 per household; allow permit holder or designated harvester to retain only 1 daily household limit.	1	<b>30</b>
<b>FP07-24</b>	Mike Vaughn, Sitka	Steelhead	Revise regulations for streams crossing the Sitka road system.	1	<b>31</b>
<b>FP07-25</b>	Grant Hagerman, Sitka	Steelhead	Extend Sitka road system harvest restrictions to entire Sitka Area LAMP (36" minimum, no snagging, no use of bait).	1	<b>32</b>
<b>FP07-26</b>	Mike Vaughn, Sitka	Steelhead	Revise regulations for Salmon Lake drainage.	1	<b>33</b>

**SUBSISTENCE**  
**Management Regulations for the  
Harvest of Fish and Shellfish**  
on Federal Public Lands and Waters  
**IN ALASKA**



*Art Contest Grand Prize Winner, Christine Francis, Age 12, Nelson Island School, Toksook Bay*

**Effective April 1, 2006 – March 31, 2007**

View Subsistence Management Regulations online at <http://alaska.fws.gov/asm/home.html>

**The current 2006/07 fisheries regulations can be found  
on the Federal Subsistence Management Program  
website: <http://alaska.fws.gov/asm/home.html>**

**or request a copy from the Office of Subsistence  
Management at 800-478-1456 or 907-786-3888.**

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## YUKON-NORTHERN AREA PROPOSALS

A consensus building/cooperative planning effort to address the issue of the declining size of Yukon River Chinook salmon was recommended by the Federal Subsistence Board at the January 2006 Board meeting based on the advice of the three Federal Regional Advisory Council representatives with responsibilities along the Yukon River. The Yukon River Drainage Fisheries Association (YRDFA) is assembling a working group composed of representatives from Yukon River communities, Tribal groups, and Federal Subsistence Regional Advisory Councils, as well as State, Federal, and YRDFA staff to address the issue of the declining size of Yukon River Chinook salmon with a goal of developing regulatory proposals for presentation to the Alaska Board of Fisheries and the Federal Subsistence Board. The working group will initially meet in the Fall of 2006. The Federal Subsistence Board strongly supports this consensus building/cooperative planning effort.

For the 2007/08 regulatory cycle, the Federal Subsistence Board received four proposals directed toward the declining size of Yukon River Chinook salmon from the Eastern Interior Alaska Regional Advisory Council. Two of the proposals would establish mandatory fishing schedules, one would restrict gillnet mesh size, and one would restrict gillnet depth. The Board will **defer review and action** on all regulatory proposals related to the changing size of Yukon River Chinook salmon, including these four proposals (FP07-01 through FP07-04), in order to provide opportunity for the YRDFA working group to address this issue.

If the working group accomplishes its goal in a timely manner, the Federal Subsistence Board could act to implement its recommendation(s) as soon as the 2007 fishing season. The Board will deal with the following four proposals and any others dealing with this issue either at that time or during the following regulatory cycle.

### PROPOSAL FP07-01

#### **Existing regulation: Yukon-Northern Area - Salmon**

*§\_\_\_\_.27(i)(3)( ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

#### **Proposed regulation: Yukon-Northern Area - Salmon**

*§\_\_\_\_.27(i)(3)( ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(A) In the Yukon River drainage the both subsistence and commercial salmon fishing will be subject to, and maintain, the windowed fishing schedule throughout the summer season.*

**Reason for changing the regulation:** Windows of no fishing to allow passage of returning Yukon River Chinook salmon are needed throughout the summer season to allow pulses of returning salmon to reach their spawning streams. Allowing the various pulses of fish to pass throughout the entire drainage will ensure that the genetic variability and integrity of salmon will be maintained and protected. The true “windows” schedule was implemented by the Alaska Board of Fisheries to provide this level of protection even after management decided to open a district to commercial fishing. The windowed fishing schedule would remain in effect even in a fishing district granted a commercial opening. The Yukon River salmon stocks need this additional protection to rebuild and have the genetic variability to face the challenges of climatic and human population changes.



**Effect of change on fish or shellfish populations:** Returning salmon throughout the summer season will be provided additional opportunity to reach their spawning grounds which would help improve the quality of escapement of Chinook salmon throughout the Yukon River drainage. Passage of this proposal would stop the genetic shift to smaller fish that subsistence users are noticing. Local subsistence users in the upper Yukon River area, including Canada, are reporting harvesting smaller fish. Conservation actions are necessary now to protect the genetic integrity of the Yukon River Chinook salmon stocks.

**Effect of change on subsistence users:** Stabilizing the Yukon River Chinook salmon stocks and preventing a decrease in their size is consistent with sound management principles and the conservation of healthy populations of fish. This proposal will provide for a reasonable opportunity to meet subsistence needs during a time to rebuild the stocks and to guarantee a realistic subsistence priority for future generations of all subsistence fishers across the drainage.

Passage of this proposal would restrict all subsistence and commercial users to the same windowed schedule thereby sharing the conservation burden by all fishers across the drainage. This proposal was written to be consistent with Section 802 of ANILCA which defines the Federal subsistence management policy to be consistent with sound management principles and conservation of healthy populations of fish and wildlife in order to have the least adverse impact on rural residents who depend on those resources for their subsistence needs. Management actions are needed now in order to have the least adverse impact on all subsistence users but especially on future generations of subsistence users.

**Effect on other uses, i.e. sport/recreational and commercial:** It would restrict the commercial fisheries to the windowed schedule the subsistence fishers are subject to. The restriction of the commercial fisheries is necessary for the conservation of healthy populations of fish and for the continuation of subsistence uses of those populations (ANILCA Section 815). It would also provide additional protection for the salmon stocks and allow them to return to their historic levels. Taking necessary conservation actions now will provide for the subsistence as well as commercial fisheries needs in the future. Not taking action will hurt future fisheries across the drainage as they face the challenges of climatic and human population changes.

**Additional Information:** This proposal was passed by the Council during their public meeting in March 2006 in Fairbanks.

**Proposed by:** Eastern Interior Alaska Subsistence Regional Advisory Council

## PROPOSAL FP07-02

### Existing regulation: Yukon-Northern Area - Salmon

*§ \_\_.27(i)(3)( ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

### Proposed regulation: Yukon-Northern Area - Salmon

*§ \_\_.27(i)(3)( ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(A) In the Yukon River drainage there will be set days of salmon fishing followed by days of complete closure to both subsistence and commercial fishing.*

**Reason for changing the regulation:** Time periods of no fishing are needed throughout the summer season to allow passage of returning Yukon River Chinook salmon unmolested throughout the summer season to allow pulses of returning fish to reach their spawning streams. Allowing the various pulses of fish to pass and not be subjected to fishing pressure

throughout the entire drainage will ensure that the genetic variability of salmon will be maintained and protected. The Yukon River salmon stocks need this additional protection to rebuild and have the genetic variability to face the challenges of climatic and human population changes.

**Effect of change on fish or shellfish populations:** Returning salmon throughout the summer season will be provided additional opportunity to reach their spawning grounds to help improve the quality of escapement of Chinook salmon throughout the Yukon River drainage. Passage of this proposal would stop the genetic shift to smaller fish. Local subsistence users in the upper Yukon River area, including Canada, are reporting harvesting smaller fish. Conservation actions are necessary now to protect the genetic integrity of the Yukon River Chinook salmon stocks.

**Effect of change on subsistence users:** Stabilizing the Yukon River Chinook salmon stocks and preventing a decrease in their size is consistent with sound management principles and the conservation of healthy populations of fish. This proposal will provide for a reasonable opportunity to meet subsistence needs during a time of rebuilding the stocks and to guarantee a genuine subsistence priority for future generations of all subsistence fishers across the drainage.

Passage of this proposal would restrict all subsistence and commercial users to the same fishing closures thereby sharing the conservation burden by all fishers throughout the drainage. This proposal was written to be consistent with Section 802 of ANILCA which defines the Federal subsistence management policy to be to consistent with sound management principles and conservation of healthy populations of fish and wildlife in order to have the least adverse impact on rural residents who depend on those resources for their subsistence needs. Management actions are needed now in order to have the least adverse impact on all subsistence users but especially on future generations of subsistence users.

**Effect on other uses, i.e. sport/recreational and commercial:** It would restrict the commercial fisheries to the same closure times to which the subsistence fishers are subjected. The restriction of the commercial fisheries is necessary for the conservation of healthy populations of fish and for the continuation of subsistence uses of those populations (ANILCA Section 815). It would also provide additional protection for the salmon stocks and allow them to return to their historic levels. Taking necessary conservation actions now will provide for the subsistence, as well as commercial fisheries needs in the future. Not taking action will hurt future fisheries across the drainage as they face the challenges of climatic and human population changes.

**Additional Information:** This proposal was passed by the Council during their public meeting in March 2006 in Fairbanks.

**Proposed by:** Eastern Interior Alaska Subsistence Regional Advisory Council

### PROPOSAL FP07-03

**Existing regulation: Yukon-Northern Area - Salmon**

*§\_\_\_\_.27(i)(3)(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

**Proposed regulation: Yukon-Northern Area - Salmon**

*§\_\_\_\_.27(i)(3)(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(A) In the Yukon River drainage the maximum gillnet size is 6 inch or smaller stretched-mesh for subsistence and commercial salmon fishing.*

**Reason for changing the regulation:** Larger nets have a detrimental effect on the stock composition and quality of escapements for Yukon River Chinook salmon and tend to target the larger female Chinook salmon. There have been

continued poor returns of Yukon River salmon in most years since 1998. This has led to conservation concerns on the spawning grounds. These poorer returns are also not allowing subsistence users to have a reasonable opportunity to meet their subsistence salmon needs. The use of the larger gillnets has changed, and will continue to change the composition of the Chinook stocks harvested. Subsistence fishers in the middle and upper Yukon Rivers have repeatedly noted that the returning Chinook salmon are getting smaller and conservation measures are needed to protect the larger fish that in turn protects the genetic variability and integrity of the Yukon River Chinook salmon stocks.

**Effect of change on fish or shellfish populations:** Returning salmon, especially larger female salmon, will be provided additional opportunity to reach their spawning grounds which would help improve the quality of escapement of Chinook salmon throughout the Yukon River drainage. Passage of this proposal would address the genetic shift to smaller fish that subsistence users are noticing. Local subsistence users in the upper Yukon River area, including Canada, are reporting harvesting smaller fish. Conservation actions are necessary now to protect the genetic variability and integrity of the Yukon River Chinook salmon stocks.

**Effect of change on subsistence users:** The Council is keenly aware passage of this proposal would place restrictions on subsistence uses, but the conservation concern of the genetic impacts of large mesh nets on the larger female Chinook salmon needs to be addressed now in order to protect the Yukon River Chinook Salmon runs for subsistence needs in the future. Without viable salmon stocks that have the genetic makeup to face the challenges of climatic changes and other impacts on salmon habitat, subsistence fishers on the Yukon River could have a rural priority for no fish or a priority for smaller fish that requires they fish harder and longer.

Stabilizing the Yukon River Chinook salmon stocks and preventing a decrease in their size is consistent with sound management principles and the conservation of healthy populations of fish. Passage of this proposal will provide for a reasonable opportunity to meet subsistence needs during a time to rebuild the stocks, and to guarantee a realistic subsistence priority for future generations of all subsistence fishers across the drainage.

Passage of this proposal would restrict subsistence users to a gear type which may require additional fishing time and effort, but it is being requested because of biological concerns and to provide for future subsistence needs. This proposal was written to be consistent with Section 802 of ANILCA which defines the Federal subsistence management policy to be consistent with sound management principles and conservation of healthy populations of fish and wildlife in order to have the least adverse impact on rural residents who depend on those resources for their subsistence needs. Management actions are needed now in order to have the least adverse impact on all subsistence users but especially on future generations of subsistence users.

**Effect on other uses, i.e. sport/recreational and commercial:** It would restrict the commercial fisheries to 6 inch nets or smaller. It may result in additional fishing time and effort for the current commercial fisheries. The restriction on the commercial fisheries is necessary for the conservation of healthy populations of fish and for the continuation of subsistence uses of those populations (ANILCA Section 815). It would also provide additional protection for the salmon stocks and allow them to return to their historic levels. Taking necessary conservation actions now will provide for the subsistence as well as commercial fisheries needs in the future. Not taking action will hurt future fisheries across the drainage as they face the challenges of climatic and human population changes.

**Additional Information:** This proposal was passed by the Council during their public meeting in March 2006 in Fairbanks.

**Proposed by:** Eastern Interior Alaska Subsistence Regional Advisory Council

## PROPOSAL FP07-04

### Existing regulation: Yukon-Northern Area - Salmon

*§ \_\_\_\_\_.27(i)(3)(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

### Proposed regulation: Yukon-Northern Area - Salmon

*§ \_\_\_\_\_.27(i)(3)(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(A) In the Yukon River drainage all gillnets with greater than six-inch mesh, may not be more than 35 meshes in depth. This applies to both subsistence and commercial fishing gillnets.*

**Reason for changing the regulation:** Deeper nets are having a detrimental affect on the stock composition and quality of escapements for Yukon River Chinook salmon and tend to target the larger female Chinook salmon. There have been continued poor returns of Yukon River salmon in most years since 1998. This has led to conservation concerns on the spawning grounds bringing into question the sustained yield principle used in State management. These poorer returns are also not allowing subsistence users a reasonable opportunity to harvest their subsistence salmon needs.

The use of the deeper drift gillnets has and will continue to change the composition of the Chinook stocks harvested. Stationary set gillnet and fish wheel gear likely harvest more local Chinook salmon stocks, while the mobile drift gillnet gear will most likely harvest more Canadian origin Chinook salmon stocks which are known to be larger on average than Alaska stocks. This knowledge is commonly accepted along the river. Allowing the use of greater than 35 mesh depth nets would be inconsistent with the conservation of natural and healthy populations of fish.

Test fish wheels and net monitoring projects break point for recording a large Chinook salmon is 655 mm in length from the center of the fish eye to the fork of the tail. Fish less than 655 mm in length are considered small fish. For the average fisher this translates to a 28 inch fish or greater are considered large fish for management purposes. Published monitoring data from these projects list 655 mm fish to be 14 pounds or larger in weight. Dr. Kocan's *Ichthyophonous* studies on Chinook salmon in the Tanana and Rampart Rapids area, weighed as well as measured, the fish he collected. The 655 mm fish he collected weighed 7 to 8 pounds. This confirms what fishers in the middle and upper Yukon Rivers have noted that the returning Chinook salmon are getting smaller and conservation measures are needed to protect the larger fish that in turns protects the genetic integrity of the Yukon River Chinook salmon stocks.

Current management plans for sustainable fishing ignore the consequences of selective harvesting that gear types can have on returning salmon. The Council supports that size-selective mortality causes genetic changes because they here from fishers and elders across the drainage that the returning fish are smaller in size and weight. Alaska Department of Fish and Game studies have shown gill nets to be size selective for Chinook Salmon ("A study of Chinook salmon in Southeast Alaska" Sport Fish Division (1975, Volume 17 AFS 41); "Age, sex, and length composition of Chinook salmon from the 2002 Kuskokwim River subsistence fishery (2004 Regional Information Report No. 3A04-13)). The U.S. Fish and Wildlife Service study, "Chinook Salmon Age, Sex, and Length Analysis from Selected Escapement Projects on the Yukon River (Alaska Fisheries Technical Report Number 87) clearly states the scope of their analysis was limited since they could only examine a small number of spawning populations over a short time period when both the fisheries and the environment were changing. The report went on further that "Without accurate baseline data on age, sex, and length composition of the Yukon River Chinook salmon stocks, it is not possible to determine whether any of the trends we found were due to selectivity of the gill-net fishery." The data from fishers and others clearly show a decline in the size of the fish which demands action be taken to address the decline. Even if the ASL study cannot definitively show it is because of gill-net fishery, reducing the depth of nets will allow more fish and bigger fish reach the spawning grounds, thereby protecting the genetic viability of salmon stocks for future generations across the drainage including Canada.

**Effect of change on fish or shellfish populations:** Returning salmon will be provided additional opportunity to reach their spawning grounds which would help improve the quality of escapement of Chinook salmon throughout the Yukon River drainage.

Passage of this proposal would afford protection of the larger Chinook salmon migrating to their spawning grounds. Passage would address the potential genetic shift to smaller fish that subsistence users are noticing. Local subsistence users in the upper Yukon River area, including Canada, are reporting harvesting smaller fish. Conservation actions are necessary now to protect the genetic integrity of the Yukon River Chinook salmon stocks. Nets need to be raised in depth so the larger fish can migrate under the nets and provide a more reasonable opportunity for upriver subsistence users.

The Tozitna River fishery monitoring project is one example showing that the composition of Chinook salmon escapement is heavily skewed toward smaller, male fish or jacks. Conservation measures need to be taken now in order to maintain the genetic integrity and productivity of the Yukon River Chinook salmon stocks that face ocean competition with hatchery fish, commercial by-catch, and climatic changes. Maintaining strong genetic diversity provides flexibility and safeguards for both management and users who depend on this value natural resource.

**Effect of change on subsistence users:** The Council is keenly aware passage of this proposal would place restrictions on subsistence uses, but the conservation concern of the genetic impacts of deeper nets on the larger female Chinook salmon needs to be addressed now in order to protect the Yukon River Chinook Salmon runs for subsistence needs in the future. Without viable salmon stocks that have the genetic makeup to face the challenges of climatic changes and other impacts on salmon habitat, subsistence fishers on the Yukon River could have a rural priority for no fish, or a priority for smaller fish that requires they fish harder and longer.

Subsistence fishing opportunity would be spread more equably across the drainage and necessary conservation measures would be in place to allow the salmon to rebuild their genetic and stock composition for future subsistence and commercial needs.

Stabilizing the Yukon River Chinook salmon stocks and preventing a decrease in their size is the right step for the fisheries and is good for subsistence in the future. Passage of this proposal will provide for a reasonable opportunity for all subsistence fishers across the drainage.

Passage of this proposal would restrict subsistence users to a gear depth which may require additional fishing time and effort but it is being requested because of biological concerns and to provide for future subsistence needs. Section 802 of ANILCA defines the policy of the law is that subsistence management is to consistent with sound management principles and conservation of healthy populations of fish and wildlife in order to the have the least adverse impact on rural residents who depend on those resources for their subsistence needs. This proposal was written to be consistent with sound management principles and to conserve healthy populations of fish. Management actions are needed now in order to have the least adverse impact on all subsistence users, but especially for future generations of subsistence users.

**Effect on other uses, i.e. sport/recreational and commercial:** It would restrict the commercial fisheries to net depth of 35 meshes. It may result in additional fishing time and effort for the current commercial fisheries. The restriction on the commercial fisheries is necessary for the conservation of healthy populations of fish and for the continuation of subsistence uses of those populations (ANILCA Section 815). It would also provide additional protection for the salmon stocks and allow them to return to their historic levels. Taking necessary conservation actions now will provide for the subsistence as well as commercial fisheries needs in the future. Not taking action will hurt future fisheries across the drainage as they face the challenges of climatic and human population changes.

It would have the beneficial effect on sport/recreational uses by increasing the opportunity for these uses to harvest larger fish throughout the drainage.



**Additional Information:** This proposal was passed by the Council during their public meeting in March 2006 in Fairbanks.

**Proposed by:** Eastern Interior Alaska Subsistence Regional Advisory Council

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## BRISTOL BAY AREA PROPOSALS

### PROPOSAL FP07-05

**Existing regulation: Bristol Bay Area – Salmon**

§\_\_\_\_.27(i)(5)(vii) *Outside the boundaries of any district, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries.*

**Proposed regulation: Bristol Bay Area – Salmon**

§\_\_\_\_.27(i)(5)(vii) *Outside the boundaries of any district, **unless otherwise specified**, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries.*

*(A) You may also use to take salmon in the Togiak River, a drift gillnet not greater than 10 fathoms in length and 15 feet in depth.*

**Reason for changing the regulation:** To catch fish in a shorter time.

**Effect of change on fish or shellfish populations:** Not much, if any.

**Effect of change on subsistence users:** Not much.

**Effect on other uses, i.e. sport/recreational and commercial:**

**Additional Information:**

**Proposed by:** Twin Hills Village Council, Twin Hills

### PROPOSAL FP07-06

**Existing regulation: Bristol Bay Area - Salmon**

§\_\_\_\_.27(i)(5)(vii) *Outside the boundaries of any district, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries.*

**Proposed regulation: Bristol Bay Area - Salmon**

§\_\_\_\_.27(i)(5)(vii) *Outside the boundaries of any district, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries. **Salmon may also be taken in Lake Clark and its tributaries by snagging, using a spear or arrow and capturing by bare hand.***

**Reason for changing the regulation:** The purpose of this proposal is to allow residents from Nondalton, Port Alsworth, Pedro Bay, Iliamna and Newhalen to take salmon in Lake Clark by snagging, using a spear or arrow and capturing by bare hand. These methods have been traditionally used for capturing salmon and would expand the opportunities for residents without gillnets to harvest salmon for subsistence.

**Effect of change on fish or shellfish populations:** Unlike gillnetting, these fishing methods are used to catch individual fish. This regulatory change will potentially benefit fish populations by reducing bycatch, over-harvesting and waste.

**Effect of change on subsistence users:** Gillnets are an expensive piece of fishing gear and many households cannot afford to purchase one. Allowing subsistence users to snag, use a spear or arrow or their bare hands to capture salmon

will provide more opportunities using traditional methods to harvest salmon with relatively little equipment costs. It will enable subsistence users to get salmon to eat without hauling around a heavy gillnet to remote locations. It will also provide users with more selective means for harvesting individual fish and avoiding taking more salmon than desired.

**Effect on other uses, i.e. sport/recreational and commercial:** This regulatory change should have no impact to sport/recreational users.

**Additional Information:**

**Proposed by:** Lake Clark Subsistence Resource Commission

**PROPOSAL FP07-07**

**Existing regulation: Bristol Bay Area - Salmon**

*§ \_\_.27(i)(5)(vii) Outside the boundaries of any district, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries.*

**Proposed regulation: Bristol Bay Area - Salmon**

*§ \_\_.27(i)(5)(vii) Outside the boundaries of any district, you may take salmon by set gillnet only, except that you may also take salmon by spear in the Togiak River, excluding its tributaries. **You may also take salmon by beach seine in Lake Clark and its tributaries.***

**Reason for changing the regulation:** The purpose of this proposal is to allow residents from Nondalton, Port Alsworth, Pedro Bay, Iliamna and Newhalen to use beach seines to take salmon in Lake Clark and its tributaries. Beach seining is a traditional fishing method that is preferred for harvesting salmon because, unlike gillnets, it is non-lethal and allows subsistence users to take the salmon they need and release the surplus.

**Effect of change on fish or shellfish populations:** Since gillnets entangle and kill fish, the flesh of gillnet-caught salmon is often bruised and blood-shot and many fish are lost by dropping from the net before they can be retrieved. Using beach seines will improve the quality of the fish taken for subsistence and reduce waste resulting from dead fish dropping from gillnets. It may also reduce the bycatch of non-target species such as trout and whitefish by allowing subsistence fishers to select only the fish they want to keep and releasing those they don't.

**Effect of change on subsistence users:** The use of gillnets is perceived by many local residents as a wasteful and disrespectful method for harvesting salmon because it kills the fish it entangles and requires subsistence users to take whatever amount of salmon is caught, even if it's more than they can process and use. Use of beach seines will eliminate deadfall and wastage resulting from gillnets that are left untended for long periods of time. It will also improve the quality of the catch by reducing the number of fish that are too damaged to be used for human consumption.

**Effect on other uses, i.e. sport/recreational and commercial:** This regulatory change should have no impact to sport/recreational users. Beach seining is generally a non-lethal method for capturing salmon that allows users to select the number of fish they want to harvest.

**Additional Information:**

**Proposed by:** Lake Clark Subsistence Resource Commission

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## COOK INLET AREA PROPOSALS

### PROPOSAL FP07-08

#### Existing regulation: Cook Inlet Area – Salmon

*Waters within Lake Clark National Park draining into and including that portion of Tuxedni Bay within the park.*

*Salmon.*

*Residents of the Tuxedni Bay area.*

#### Proposed regulation: Cook Inlet Area – Salmon

*Waters of **Tuxedni Bay** within Lake Clark National Park ~~draining into and including~~ that portion of Tuxedni Bay within the park.*

*Salmon.*

*Residents of the Tuxedni Bay **drainage area and Chisik Island.***

**Reason for changing the regulation:** Federal fishery proposal FP06-09, adopted into regulation as modified in January 2006, requested a positive customary and traditional (C&T) use determination for specified rural areas on the Kenai Peninsula and the west side of Cook Inlet. This proposal addresses only that part of the regulation pertaining to Tuxedni Bay on the west side of Cook Inlet. Further, it pertains only to the geographic descriptions of the area encompassed by the C&T and the area of residence for those eligible for C&T.

FP06-09 requested a positive C&T use determination in “Tuxedni Bay” for herring, smelt, whitefish and salmon “for residents west of a line due southeast of the Crescent River mouth and intersecting another line drawn northeast of the south side of the Bay.” This is the proponent’s language and it is referenced as such in the analysis prepared by the Office of Subsistence Management. Residents of Tuxedni Bay already had customary and traditional use of herring, smelt and whitefish and the analysis addressed only salmon.

The Southcentral Regional Advisory Council (SCRAC) reviewed this proposal at its October 2005 meeting and recommended adoption of the language as proposed and analyzed. In its recommendation to the Federal Subsistence Board (FSB), the Interagency Staff Committee (ISC) provided a majority and minority recommendation. The majority modified the language slightly to read: “For the west side of Cook Inlet, there is evidence to support a positive customary and traditional use determination of salmon for residents of Tuxedni Bay in Federal public waters within Tuxedni Bay.” The minority opinion was modified further from the proponent’s language and found C&T for: “Federal public waters in the Tuxedni Bay Area within the boundaries of Lake Clark National Park & Preserve.”

The motion made and adopted by the FSB was: “For the west side of Cook Inlet, for the residents of the Tuxedni Bay area, a positive C&T determination is made for salmon for waters within Lake Clark National Park drainage into and including that portion of Tuxedni Bay within the Park.” This was not the language of the proponent, staff analysis, SCRAC or ISC majority or minority recommendation. We question whether the Board intended to modify the language in this proposal as it pertains to Tuxedni Bay, particularly since the modification was contrary to the language of the proponent, the staff analysis, the SCRAC and the ISC. The modified motion was not presented as such and no discussion occurred regarding it.

The definition of Tuxedni Bay in the current regulation is more expansive than the language in the original proposal; the residency definition for Tuxedni Bay is ambiguous, more expansive than proposed or recommended, and requires a more concise definition. We also note that the marine waters around Chisik Island (Alaska Maritime National Wildlife Refuge) are closed to subsistence fishing. We therefore propose this clarification be made part of the regulatory language.

**Effect of change on fish or shellfish populations:** This proposal should have no impact. Only one or two families reside in Tuxedni Bay and this regulation should not affect current practices.

**Effect of change on subsistence users:** Adoption of this proposal should not result in changes to current practices.

**Effect on other uses, i.e. sport/recreational and commercial:** This proposal should have no affect on other user groups. We agree with the language in the original proposal that for Tuxedni Bay, “there are no communities who use these resources, only a few residents.”

**Communities which have used this resource:** Current uses are believed confined to one or two families residing in Tuxedni Bay.

**Where the resource has been harvested:** Current harvests occur under Alaska Sport Fishing Regulations in the Federal public waters of Tuxedni Bay.

**When the resource has been harvested:** Harvest is believed to be opportunistic, occurring when the resource is present, primarily during the summer months.

**Additional Information:**

**Proposed by:** Lake Clark National Park and Preserve

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## DEFERRED COOK INLET AREA PROPOSALS

At their January 2006 meeting, the Federal Subsistence Board heard considerable testimony and engaged in significant discussion regarding the fisheries of the Kenai Peninsula. It is apparent to the Board that management of Kenai Peninsula fisheries has long been controversial. Allocation disputes between sport and commercial users, as well as between factions of commercial users, has long been a dominate part of State management of these fisheries.

The Board requested the Southcentral Alaska Regional Advisory Council to establish a stakeholder’s group composed of representatives of the various interests in Kenai Peninsula fisheries to explore and develop recommendations on how to integrate subsistence harvest and use of fish on the Kenai Peninsula. Also, during its January 2006 meeting, the Board **deferred review and action** on the proposals for subsistence harvest of fish in the waters of the Kenai Peninsula contingent upon development of Regional Council recommendations based on work of the stakeholder’s group. Therefore, the following proposals are deferred: FP07-09 through FP07-13.

Rather than establish a separate stakeholder’s group, the Southcentral Alaska Regional Advisory Council in its March 2006 meeting recommended that the Board extend the period in which the public may submit proposals concerning subsistence harvest of fish on the Kenai Peninsula.

A Board decision on a stakeholder’s group and/or extended proposal period is pending.

### PROPOSAL FP07-09

**Existing regulation: Cook Inlet Area – All Fish**

*§\_\_\_\_.27(i)(10)(i) Unless restricted in this section, or unless restricted under the terms of a subsistence fishing permit, you may take fish at any time in the Cook Inlet Area. If you take rainbow/steelhead trout incidentally in*



*other subsistence net fisheries, you may retain them for subsistence purposes.*

*(ii) You may not take grayling or burbot for subsistence purposes.*

*(iii) You may take fish by gear listed in this part unless restricted in this section or under the terms of a subsistence fishing permit (as may be modified by this section).*

*(iv) You may only take salmon, trout, Dolly Varden, and other char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

*(v) You may only take smelt with dip nets in fresh water from April 1 through June 15. There are no harvest or possession limits for smelt.*

*(vi) Gillnets may not be used in fresh water, except for the taking of whitefish in the Tyone River drainage.*

#### **Proposed regulation: Cook Inlet Area – All Fish**

*§ \_\_.27(i)(10)(i) Unless restricted in this section, or unless restricted under the terms of a subsistence fishing permit, you may take fish at any time in the Cook Inlet Area. If you take rainbow/steelhead trout incidentally in other subsistence net fisheries, you may retain them for subsistence purposes.*

*(ii) You may not take grayling or burbot for subsistence purposes.*

*(iii) You may take fish by gear listed in this part unless restricted in this section or under the terms of a subsistence fishing permit (as may be modified by this section).*

*(iv) You may only take salmon, trout, Dolly Varden, and other char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

*(v) You may only take smelt with dip nets in fresh water from April 1 through June 15. There are no harvest or possession limits for smelt.*

*(vi) Gillnets may not be used in fresh water, except for the taking of whitefish in the Tyone River drainage.*

*(vii) Residents of Ninilchik may take subsistence fish in the Kenai River drainage, the Kasilof River Drainage, Tuxedni Bay (and other waters where they may be entitled to federal subsistence fishing rights) by spear, traps, fish wheel, dip net, set or drift gill net, beach seine, rod and reel, jigging gear, or handline. A subsistence fishing permit is required and may be obtained through the Ninilchik tribal office.*

**Reason for changing the regulation:** Subsistence fishing regulations are far, far overdue for the Cook Inlet Area. It has been 15 or so years since federal management of subsistence on public lands in Alaska began, yet current federal subsistence fishing regulations for the Cook Inlet Area, including seasons, harvest and possession limits, methods and means continue to mirror state sport fishing regulations. Subsistence proposals seeking a change from sport regulations have been submitted to federal managers for years, but they have been consistently deferred or otherwise denied or delayed. Needless to say, fishing under state sport regulations does not provide for a meaningful subsistence opportunity. Subsistence users cannot meet their nutritional or cultural needs under the current regulations.

**Effect of change on fish or shellfish populations:** No conservation impacts are foreseen. Fish stocks presently appear to be healthy and without significant conservation concerns as demonstrated by the state's encouragement of an ever expanding sport fishery on the Kenai Peninsula. Ninilchik subsistence users will take only the amount of fish that they need to meet their subsistence needs, and no season or harvest limits are proposed or necessary for Ninilchik subsistence uses of fish. Ninilchik is not seeking a net fishery directed at catching rainbow or steelhead trout, and is willing to work with the Regional Advisory Council and federal staff to draft a regulation that would allow for retention of these fish incidentally caught in other subsistence net fisheries.

**Effect of change on subsistence users:** It will (finally) permit Ninilchik residents to have a meaningful opportunity for subsistence fishing.

**Effect on other uses, i.e. sport/recreational and commercial:** This question is explicitly addressed by section 804 of ANILCA that mandates a priority for subsistence fishing. The federal board's responsibility is to manage for subsistence uses. Why is this question included in a proposal for subsistence uses?

**Additional Information:**

**Proposed by:** Ninilchik Traditional Council

**PROPOSAL FP07-10 (Deferred FP06-10)**

**Existing regulation: Cook Inlet Area - Steelhead**

*§\_\_\_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

**Proposed regulation: Cook Inlet Area - Steelhead**

*§\_\_\_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56), **except that:**  
(A) **You may harvest 5 steelhead annually, by means of rod and reel, dip net, or gillnet.***

**Reason for changing the regulation:** Currently, people cannot retain steelhead even in the sport fishery. I personally haven't been able to eat a steelhead for many years, even as I watch them swimming past my house.

**Effect of change on fish or shellfish populations:** It would have to be monitored, but currently there is no harvest on steelhead, so it would seem there is room for some harvest.

**Effect of change on subsistence users:** Subsistence users would now have access to this valuable food source.

**Effect on other uses, i.e. sport/recreational and commercial:** None. There is currently no other legal harvest of steelhead.

**Additional Information:**

**Proposed by:** Teague Vanek, Ninilchik

**PROPOSAL FP07-11 (Deferred FP06-11)**

**Existing regulation: Cook Inlet Area – Rainbow Trout**

*§\_\_\_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

**Proposed regulation: Cook Inlet Area - Rainbow Trout**

*§\_\_\_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same*

*as for the taking of those species under Alaska sport fishing regulations (5 AAC 56), **except that:***  
**(A) You may harvest 50 rainbow trout annually, by means of dip net or gillnet.**

**Reason for changing the regulation:** To allow for a subsistence harvest of rainbow trout.

**Effect of change on fish or shellfish populations:**

**Effect of change on subsistence users:** Subsistence users would now have access to this valuable food source.

**Effect on other uses, i.e. sport/recreational and commercial:**

**Additional Information:**

**Proposed by:** Teague Vanek, Ninilchik

### PROPOSAL FP07-12 (Deferred FP06-12)

#### **Existing regulation: Cook Inlet Area - Lake Trout**

*§ \_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

#### **Proposed regulation: Cook Inlet Area - Lake Trout**

*§ \_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56), **except that:***  
**(A) You may harvest 50 lake trout annually, by means of a gillnet.**

**Reason for changing the regulation:** To allow for a subsistence harvest of lake trout.

**Effect of change on fish or shellfish populations:**

**Effect of change on subsistence users:** Subsistence users would now have access to this valuable food source.

**Effect on other uses, i.e. sport/recreational and commercial:**

**Additional Information:**

**Proposed by:** Teague Vanek, Ninilchik

### PROPOSAL FP07-13 (Deferred FP06-13)

#### **Existing regulation: Cook Inlet Area - Dolly Varden**

*§ \_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56).*

#### **Proposed regulation: Cook Inlet Area - Dolly Varden**

*§ \_\_.27(i)(10)(iv) You may only take salmon, Dolly Varden, trout, and char under authority of a Federal*

*subsistence fishing permit. Seasons, harvest and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56), **except that:***

***(A) You may harvest 50 Dolly Varden annually, by means of a gillnet.***

**Reason for changing the regulation:** To allow for a subsistence harvest of Dolly Varden.

**Effect of change on fish or shellfish populations:**

**Effect of change on subsistence users:** Subsistence users would now have access to this valuable food source.

**Effect on other uses, i.e. sport/recreational and commercial:**

**Additional Information:**

**Proposed by:** Teague Vanek, Ninilchik

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## PRINCE WILLIAM SOUND AREA PROPOSALS

### PROPOSAL FP07-14

#### Existing regulation: Prince William Sound Area – Salmon

§\_\_\_\_.27(i)(11)(iv) *In the Copper River drainage, you may take salmon only in the waters of the Upper Copper River District, or in the vicinity of the Native Village of Batzulnetas.*

#### Proposed regulation: Prince William Sound Area – Salmon

§\_\_\_\_.27(i)(11)(iv) *In the Copper River drainage, you may take salmon ~~only~~ in the waters of the Upper Copper River District, or in the vicinity of the Native Village of Batzulnetas. **The lower Copper River below the 52-Mile Bridge is open May 1 through July 30 for harvest of salmon harvest by dip net or rod and reel. Use of bait is allowed.***

**Reason for changing the regulation:** To allow Cordova residents to fish the Copper for salmon.

**Effect of change on fish or shellfish populations:** Very little impact on migrating fish.

**Effect of change on subsistence users:** Will open up more opportunities for Cordova residents.

**Effect on other uses, i.e. sport/recreational and commercial:** Survey of fish caught could be used in conjunction to commercial fisheries with sonar counter at Miles Bridge. Also, changing the regulation so you can fish with eggs will allow sport fishermen to fish the Copper due to the silt problem with artificial lures.

**Additional Information:** Upper Copper is open every year for a dip net fishery. The lower Copper River reaches could be opened for subsistence use using spear, dip net or rod and reel with very little effect on migrating fish or the commercial fishery. I would like to see a change from artificial lures to use of eggs as the Copper is totally unfishable with artificial lures for sport or subsistence use due to its silt.

**Proposed by:** Chris Grimwood, Cordova

### PROPOSAL FP07-15

#### Existing regulation: Prince William Sound Area – Salmon

§\_\_\_\_.27(i)(11)(xii)(E) *You are responsible for the fish wheel; you must remove the fish wheel from the water at the end of the permit period;*

#### Proposed regulation: Prince William Sound Area – Salmon

§\_\_\_\_.27(i)(11)(xii)(E) *You are responsible for the fish wheel; you must remove the fish wheel from the water at the end of the permit period **and may not store it below the high water mark;***

**Reason for changing the regulation:** We, the Ahtna People, have seen fish wheels left in the water or adjacent to the river bank, and have seen fish wheels float down the Copper River, because they have not been taken out of the Copper River. There are a lot of fish wheels that have floated down to the sandbars near Chitina, Alaska. These fish wheels are left there because it is impossible to retrieve them, since they are stuck on the sandbars in the middle of the Copper River. It leaves an unsightly mess on the Copper River.



Many people take their fish wheels out of the water, leaving them close to the river bank at the end of the fishing period. During the winter, these fish wheels are jammed by ice flows, and during spring, it breaks loose from its moorings, float down-river, and get lodged in the sandbars near Chitina, Alaska.

**Effect of change on fish or shellfish populations:** Very little or no effect. This may help to have the Copper River clear of debris, which may make it easier for the salmon to swim up-river to their spawning grounds.

**Effect of change on subsistence users:** The federally qualified subsistence users will be happy to see fish wheels tied and secured to their moorings above the high water mark, so that it will not get loose and float down the Copper River, and leave debris on the sandbars.

**Effect on other uses, i.e. sport/recreational and commercial:** Not applicable.

**Additional Information:**

**Proposed by:** Ahtna Tene Nene' Subsistence Committee, Glennallen

**PROPOSAL FP07-16**

**Existing regulation: Prince William Sound Area – Salmon**

§\_\_\_\_.27(i)(11)(xiii)(B) *You may not set or operate a fish wheel within 75 feet of another fish wheel;*

**Proposed regulation: Prince William Sound Area – Salmon**

§\_\_\_\_.27(i)(11)(xiii)(B) *You may not set or operate a fish wheel within 75 **200** feet of another fish wheel;*

**Reason for changing the regulation:** This purpose of this proposal is to increase the distance between fish wheels. The current regulation allows for 75 feet between fish wheels. We propose to increase that distance to 200 feet for these reasons. There are too many fish wheels in the Copper River that are too close together. This may cause an impact on the salmon population; and it directly affects the federal qualified subsistence users, who are unable to have their subsistence needs being met. Because there are too many people from the urban areas, who keep clustered fish wheels going 7 days a week, non-stop. There are about 8 to 10 fish wheels that are 50 feet apart and are situated in one spot, and these fish wheels run day and night, during the fishing season.

Fish wheels are too close together in one area. Over crowding occurs, which creates a conservation concern, as well as creates conflicts among users. Some people have been pushed out of their fishing sites. This causes a conflict among the users. These people who run their fish wheels every day and night are taking most of the salmon, and the up-river people are having a difficult time getting salmon in their fish wheels.

Traditional fish racks and other traditional processing techniques used by the Ahtna people, such as stringing salmon in the water to sand blast the fish before cutting and drying it, requires an amount of space between fish wheels and fishing sites. Additionally, cutting and harvesting wood for smoking salmon also takes up a certain amount of space. We think that all fish wheels must be 200 feet apart from each other, so that fish wheels will not be next to each other. Also, traditional fishing sites will be separated from each other, thereby causing less conflict among users.

Also, people have seen salmon waste caught in fish wheels, which are situated every 50 ft. in the water, from the next down-river fish wheel. As many as 8 to 10 fish wheels may be situated closely together and be less than 50 ft. from each other. This may cause controversy, if it continues to happen.

**Effect of change on fish or shellfish populations:** We believe that this will have a positive impact because this will limit the number of fish wheels in the Upper Copper River District, and this also allow more salmon to escape up river, where there is a need for salmon.

This will also help to eliminate erosion of the banks of the Copper River, if there aren't too many fish wheels being utilized in the Upper Copper River District.

**Effect of change on subsistence users:** Yes, federally qualified subsistence users will have opportunity to catch more fish, because there will be less fish wheels being crowded in one area in the Upper Copper River District.

More salmon population will escape upriver and make it to the spawning areas, which will increase the salmon population.

**Effect on other uses, i.e. sport/recreational and commercial:** We believe there will be more opportunity for all users, because more salmon will escape up-river to spawn.

**Additional Information:**

**Proposed by:** Ahtna Tene Nene' Subsistence Committee, Glennallen

## SOUTHEAST ALASKA AREA PROPOSALS

### PROPOSAL FP07-17

#### Existing regulation: Southeastern Alaska Area – All Fish

<i>District 12 - South of a line from Fishery Point to south Passage Point and north of the latitude of Point Caution.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</i>
<i>District 13 - Section 13A south of the latitude of Cape Edward.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13 - Section 13B north of the latitude of Redfish Cape.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13 - Section 13C.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13 - Section 13C east of the longitude of Point Elizabeth.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</i>
<i>District 14 - Section 14B and 14C.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City of Hoonah and in Chichagof Island drainages on the eastern shore of Port Frederick from Gartina Creek to Point Sophia.</i>

#### Proposed regulation: Southeastern Alaska Area – All Fish

<i>District 12 - South of a line from Fishery Point to south Passage Point and north of the latitude of Point Caution.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</i>
<i>District 13 - Section 13A south of the latitude of Cape Edward.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13 - Section 13B north of the latitude of Redfish Cape.</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon.</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>

<del>District 13 – Section 13C:</del>	<del>Salmon, Dolly Varden, trout, smelt, and eulachon.</del>	<del>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</del>
<del>District 13 – Section 13C east of the longitude of Point Elizabeth.</del>	<del>Salmon, Dolly Varden, trout, smelt, and eulachon.</del>	<del>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</del>
<del>District 14 – Section 14B and 14C.</del>	<del>Salmon, Dolly Varden, trout, smelt, and eulachon.</del>	<del>Residents of the City of Hoonah and in Chichagof Island drainages on the eastern shore of Port Frederick from Gartina Creek to Point Sophia.</del>
<b>Districts 12, 13, and 14.</b>	<b>All fish.</b>	<b>Residents of Districts 12, 13, and 14.</b>

**Reason for changing the regulation:** The new regulation should reflect the actual subsistence use of fish of residents of this area. The current regulations do not reflect actual subsistence use. There are no positive customary and traditional use determinations for fish for residents of the communities of Elfin Cove, Excursion Inlet, Gustavus, or Pelican. No specific customary and traditional use determinations have been made for much of Districts 12, 13, and 14. In these areas, any rural resident may subsistence fish under Federal regulations. In the portion of District 14 where Hoonah has a positive customary and traditional use of fish, other rural residents may not fish under Federal regulations.

**Effect of change on fish or shellfish populations:** This regulatory change does not affect seasons or harvest limits. Customary and traditional determinations could increase or decrease the number of fish taken under Federal subsistence regulations. Although most fish taken for subsistence in these districts are taken in marine waters, outside Federal jurisdiction, some trout species and Dolly Varden have been taken from Federal waters.

**Effect of change on subsistence users:** This change will recognize actual subsistence uses and allow subsistence harvesters to take fish under Federal subsistence regulations.

**Effect on other uses, i.e. sport/recreational and commercial:** No affect on other users is anticipated.

**Communities which have used this resource:** The rural communities of Elfin Cove, Excursion Inlet, Gustavus, Hoonah, and Pelican use fish resources in Districts 12, 13, and 14. Other rural residents in this area may reside at remote locations outside the named communities. Use of portions of this area for subsistence harvesting of fish by the rural communities of Angoon, Haines, Funter Bay, Sitka, and Tenakee Springs may take place as well.

**Where the resource has been harvested:** Rural residents are believed to use most of the Federal waters in these districts for subsistence harvesting.

**When the resource has been harvested:** Subsistence fishing follows a seasonal round of resource harvesting. Some fishing may take place throughout the year.

**Additional Information:** The Council will rely on public testimony, traditional ecological knowledge, and the staff analysis in its deliberations on this proposal. These sources of information will identify more specifically which communities use different portions of these districts.

**Proposed by:** Southeast Alaska Subsistence Regional Advisory Council

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## MAKHNATI ISLAND AREA PROPOSALS

A rule proposing to establish Federal Subsistence Management jurisdiction in the Makhnati Island area was published in the **Federal Register** in April 2006. Any decisions by the Federal Subsistence Board on these two following proposals will be contingent on the publication of a final rule establishing Federal Subsistence Management jurisdiction for the Makhnati Island area.

### PROPOSAL FP07-18

#### **Existing regulation: Southeastern Alaska Area – Herring**

Under current Federal regulations, all rural residents of Alaska are eligible to harvest herring, herring roe on macrocystis kelp, herring roe on hemlock, or herring roe on other substrate from Federal waters in southeast Alaska. There are no season or harvest limits in regulation.

#### **Proposed regulation: Southeastern Alaska Area – Herring**

*§ \_\_.27(i)(13)(xxv) The Federal marine waters in the Makhnati Islands and Whiting Harbor area near Sitka are closed to all commercial fishing for herring during the months of March and April.*

**Reason for changing the regulation:** The regulatory change is needed to insure that subsistence needs for herring and herring roe may be met. The commercial sac roe seine fisheries in Sitka Sound harvest significant amounts of herring close to subsistence harvest areas in Federal marine waters. The commercial harvests are negatively impacting the ability of subsistence users to harvest herring, herring roe on kelp, herring roe on hemlock branches, and herring roe on other substrates. Commercial harvesting displaces subsistence users from traditional harvesting sites, may disrupt herring spawning such that good quality deposition of herring eggs does not take place at traditional sites, may cause herring to spawn away from subsistence sites, and may seriously reduce the biomass of spawning herring upon which subsistence users depend. Closing Federal marine waters to commercial harvesting during March and April will be a constructive step in insuring that subsistence needs may be met. The majority of the herring sac roe fishery is not in Federal waters.

**Effect of change on fish or shellfish populations:** No major effect is expected, since the herring guideline harvest level will be taken from other waters in Sitka Sound. If there is significant herring spawning location fidelity, reducing harvest on herring stocks spawning in the Makhnati Island and Whiting Harbor Federal marine waters could result in improved spawning in this area in future years.

**Effect of change on subsistence users:** This change would have a positive impact on subsistence users. An area will be set aside for subsistence use only.

**Effect on other uses, i.e. sport/recreational and commercial:** A very small area will be off limits to herring sac roe seining. Fisheries managers will need to manage the sac roe fishery such that harvesting activity takes place away from the closed areas. Commercial fishers will need to adjust their harvesting strategies. The commercial fishery is managed with management guideline harvest. The harvest guideline will not be affected by this small closure of Federal waters.

#### **Additional Information:**

**Proposed by:** Southeast Alaska Subsistence Regional Advisory Council



### PROPOSAL FP07-19

**Existing regulation: Southeastern Alaska Area – Herring**

Under current Federal regulations, all rural residents of Alaska are eligible to harvest herring, herring roe on macrocystis kelp, herring roe on hemlock, or herring roe on other substrate from Federal waters in southeast Alaska. There are no season or harvest limits in regulation.

**Proposed regulation: Southeastern Alaska Area – Herring**

*§ \_\_.27(i)(13)(xxv) The Federal marine waters in the Makhnati Islands and Whiting Harbor area near Sitka are closed to all commercial fishing for herring during the months of March and April.*

**Reason for changing the regulation:** Currently, commercial herring fishing is allowed in all state waters in Sitka Sound. However, the needs of subsistence herring fishermen are not always being met. This regulation is needed to ensure that subsistence herring harvesters and herring egg harvesters needs are met by providing a commercial free zone for herring and herring spawn in the federal waters around Makhnati Island.

**Effect of change on fish or shellfish populations:** No effect is expected on the herring population in Sitka Sound. The only effect will be that the pacific herring in the federal waters around Makhnati Island will be protected from commercial fishing. This may strengthen the health of the herring population within Sitka Sound.

**Effect of change on subsistence users:** Subsistence uses will be positively influenced because the area of federal waters around Makhnati will be protected from commercial fishing. This will create a subsistence only zone where subsistence uses will be preserved. This will in turn help to ensure the needs of subsistence harvesters of herring eggs will be met.

**Effect on other uses, i.e. sport/recreational and commercial:** There is no sport use of herring. No commercial use would be allowed in federal waters, so that the state fisheries managers will need to manage the commercial fishery based on the biomass available in state waters only.

**Additional Information:**

**Proposed by:** Sitka Tribe of Alaska

### PROPOSAL FP07-20

**Existing regulation: Southeastern Alaska Area – Sockeye Salmon**

*§ \_\_.27(i)(13)(xviii) From July 7 through July 31, you may take sockeye salmon in the waters of the Klawock River and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday.*

**Proposed regulation: Southeastern Alaska Area – Sockeye Salmon**

*§ \_\_.27(i)(13)(xviii) From July ~~17~~ 7 through ~~July 31~~ August 14, you may take sockeye salmon in the waters of the Klawock River and Klawock Lake only from ~~8:00 a.m. Monday until 5:00 p.m. Friday~~ 6:00 a.m. Tuesday–9:00 p.m. Saturday.*

**Reason for changing the regulation:** Having the dates changed will provide the opportunity for fish gatherers to adapt to the change in annual fish return. The arrival of salmon is fluctuating both before and after the previous set dates. Most fish gatherers are employed and have set work schedules of Monday–Friday. Fish gathering harnesses traditional use of salmon as well as filling economic voids. Taking time off from work for fish gathering defeats the purpose of filling economic voids in our challenging economic times.

**Effect of change on fish or shellfish populations:** No apparent change on fish populations because limit hasn't increased. The main focus for traditional food gathering won't be on the first small arrival of sockeye. The amount of first arrival sockeye is decreasing.

**Effect of change on subsistence users:** Annual salmon return dates are fluctuating before and after set dates. This will provide an economic advantage to those who are gathering salmon. Taking time off from work to beach seine seems obsolete in today's declining economic opportunities.

**Effect on other uses, i.e. sport/recreational and commercial:** Sport/recreational and commercial uses will not be affected.

**Additional Information:**

**Proposed by:** Craig Community Association, Craig

**PROPOSAL FP07-21**

**Existing regulation: Southeastern Alaska Area – Sockeye Salmon**

*§ \_\_.27(i)(13)(xiii) For the Salmon Bay Lake system, the daily harvest and season limit per household is 30 sockeye salmon.*

*(xiv) For Virginia Lake (Mill Creek), the daily harvest limit per household is 20 sockeye salmon, and the season limit per household is 40 sockeye salmon.*

*(xv) For Thoms Creek, the daily harvest limit per household is 20 sockeye salmon, and the season limit per household is 40 sockeye salmon.*

*(xvii) Only Federally-qualified subsistence users may harvest sockeye salmon in streams draining into Falls Lake Bay, Gut Bay, or Bay of Pillars. In the Falls Lake Bay and Gut Bay drainages, the possession limit is 10 sockeye salmon per household.*

**Proposed regulation: Southeastern Alaska Area – Sockeye Salmon**

*§ \_\_.27(i)(13)(xiii) For the Salmon Bay Lake system, the daily harvest and season limit per household is 30 sockeye salmon.*

*(xiv) For Virginia Lake (Mill Creek), the daily harvest limit per household is 20 sockeye salmon, and the season limit per household is 40 sockeye salmon.*

*(xv) For Thoms Creek, the daily harvest limit per household is 20 sockeye salmon, and the season limit per household is 40 sockeye salmon.*

*(xvii) Only Federally-qualified subsistence users may harvest sockeye salmon in streams draining into Falls Lake Bay, Gut Bay, or Bay of Pillars. In the Falls Lake Bay and Gut Bay drainages, the possession limit is 10 sockeye salmon per household.*

**Reason for changing the regulation:** This is a housekeeping proposal. During the 2005–2006 regulatory cycle the Federal subsistence board adopted a regulation that ties the Federal harvest limits for sockeye to the harvest limits on the State Subsistence and Personal Use permits. The regulations proposed for deletion were passed before this tie to the State harvest limits and are no longer needed.

**Effect of change on fish or shellfish populations:** None, there will be no change harvest practices.

**Effect of change on subsistence users:** Cleaning up the regulations will provide clarity.

**Effect on other uses, i.e. sport/recreational and commercial:** There will no effect on other users, as this proposal will not change in harvest practices for anyone.

**Additional Information:**

**Proposed by:** Southeast Alaska Subsistence Regional Advisory Council

**PROPOSAL FP07-22**

**Existing regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

Permit condition:

*Federal Subsistence Harvest Report due by June 15, 200X or within 15 days after harvest of 2nd steelhead.*

**Proposed regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*(A) All harvest of steelhead in District 13 shall be reported to USDA Forest Service in Sitka within 48 hours of harvest or within 48 hrs of harvester returning to town. Reporting may be done in person or by telephone. Completed Federal Subsistence Harvest Reports (fishing permit) due by June 15, 200X or within 15 days after harvest of 2nd steelhead. Failure to comply with reporting requirements may make permittee ineligible to receive a subsistence permit during the following calendar year.*

**Reason for changing the regulation:** Current reporting requirements do not provide Federal managers with the necessary tools to actively manage individual stream systems. In many cases, the subsistence season may be all but over before harvest information becomes available. Many of these small systems can afford very limited, if any harvest. Managers must have current harvest information to make informed decisions and we need to institute this regulation to provide this data in a timely matter.

Sitka has the largest population of eligible subsistence users in the State. Although the reported 2005 harvest of steelhead was low, this new fishery is not yet widely known or recognized. Participation in subsistence fisheries is quite popular in Sitka and undoubtedly this fishery is going to attract more participants as people learn of this opportunity. An average of 775 subsistence salmon permits have been issued in Sitka over the past three years. With numbers like that it is clear that we need to get some control measures in place before participation in the fishery expands.

**Effect of change on fish or shellfish populations:** The timely reporting of harvest will allow managers to protect individual streams from over-harvest. Without in season harvest numbers, we are likely to see problems in the future.

**Effect of change on subsistence users:** There is no foreseeable hardship on subsistence users. Reporting catch should not take more than a couple minutes of their time. Subsistence users should support all measures to improve management.

**Effect on other uses, i.e. sport/recreational and commercial:** No foreseeable hardship on sport and commercial users. All parties benefit from better management.

**Additional Information:**

**Proposed by:** Mike Vaughn, Sitka

**PROPOSAL FP07-23**

**Existing regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

**Proposed regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

***(A) In District 13, only one subsistence fishing permit will be issued per household. Any member of the household or any other Federally qualified person may fish the permit if included as a designated fisherman. In District 13, a fisherman, or designated fisherman, may retain only one daily household limit, be it their own household limit or the limit of a household they are designated fishing for. The person fishing must possess the permit while fishing.***

**Reason for changing the regulation:** There have been few restrictions placed in the subsistence regulations to prevent over-harvest of small populations of steelhead or over-harvest of certain segments of a particular population (early vs. late run fish within a certain stream system). Many of these smaller stream systems have limited holding areas where a large percentage of the entire run may congregate. Fish that are congregated are vulnerable to harvest. Limiting harvest per person/trip would assist in protecting systems with small populations (and unknown escapements) that are not currently protected under special permit stipulations.

Sitka has the highest number of eligible subsistence users in the state and interest in this fishery is going to increase as this fishery becomes better known to the public. Multiple permit fishing definitely has its place with healthy sockeye populations where there is a surplus of fish. It does however pose some problems in this steelhead fishery, particularly in these small streams where run size is limited. The majority of the steelhead systems in District 13 are not surveyed, I assume largely due to limited funding. The average run size is unknown and we are not talking about a lot of fish in many cases. We need to be conservative. This regulation will help protect these small runs.

One of the points presented in support of establishing this fishery was that some people wanted the ability to keep and eat steelhead if they were out in the spring time. This proposal does not deny the ability of a person to do this. It does however provide a degree of control to regulate harvest in systems where run size is not known or monitored.

**Effect of change on fish or shellfish populations:** Preventing the stacking of permits will provide some protection against over-harvest of smaller steelhead populations. Other than individual bag limits, there currently are not any

regulations controlling harvest. The popularity of this fishery is going to increase and implementing this regulation would be a great way to help control overharvest of these smaller stocks.

**Effect of change on subsistence users:** Members of the community that are not able to harvest their own fish can still designate another person in their community to catch their fish. An individual proxy fisherman will no longer be able to take multiple household limits on the same day.

**Effect on other uses, i.e. sport/recreational and commercial:** Sport and commercial entities are not significant consumptive users of these local stocks, however any steps taken to ensure conservation of this species benefit all Alaskans, whether they are sport, commercial, or subsistence users.

#### **Additional Information:**

**Proposed by:** Mike Vaughn, Sitka

### **PROPOSAL FP07-24**

#### **Existing regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

#### **Proposed regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

***(A) For streams crossing the Sitka road system, the minimum size is 36" total length. Gear is restricted to rod and reel without bait. Snagging is not allowed with rod and reel.***

**Reason for changing the regulation:** Starrigaven Creek, Indian River, and Sawmill Creek are all located on the Sitka road system. These systems are subject to a high amount of effort in both the subsistence and sport fisheries. Federal managers have already applied special provisions to these systems through restrictions on the Federal Subsistence Permit. The accessibility of these streams will not be changing in the future so I propose adopting these permit restrictions into Federal regulation.

**Effect of change on fish or shellfish populations:** Enacting this regulation will help to protect the viability of these small populations of steelhead. These systems will never support enough fish to warrant more liberal restrictions so these stipulations should be set in regulation.

**Effect of change on subsistence users:** This regulation will not change the way these waters are currently managed and therefore will not adversely affect subsistence users. Setting these conditions into regulation will help to permanently protect these systems from over harvest in the future.

**Effect on other uses, i.e. sport/recreational and commercial:** Sport and commercial users will not be adversely affected by this regulation. Adopting this regulation will help to protect these stocks therefore all users will benefit.

**Additional Information:**

**Proposed by:** Mike Vaughn, Sitka

**PROPOSAL FP07-25**

**Existing regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

**Proposed regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*(A) For all streams located in the Sitka Area LAMP, including those crossing the Sitka road system, the minimum size is 36" total length.*

*(B) For streams with length restrictions, gear is restricted to rod and reel without bait. Snagging is not allowed with rod and reel.*

**Reason for changing the regulation:** There are a fair number of streams containing steelhead populations within the Sitka Area LAMP boundaries that are outside the Sitka road system. The escapement numbers for these systems are relatively unknown. I have personally fished numerous streams within these boundaries, and can attest to substantially low numbers of returning adults for each of them. One stream in particular, Eagle Creek, located in Sukoi Inlet on the eastern shore of Kruzof Island, contained two adult steelhead within a four mile stretch of its most inhabitable water in 2005. This stream was visually surveyed during the peak of steelhead returns for most adjacent systems. Allowing harvest of any kind in streams such as this is a risky proposition, given that neither the USDA Forest Service or the Alaska Dept. of Fish and Game have done any kind of population estimate for this or any other stream within the LAMP, with the exception of Starrigavin Creek. Without knowing how much escapement is needed to preserve sustainable populations, any retention of steelhead can pose the serious threat of over harvest. The subsistence restrictions imposed on the streams within the Sitka road system and those set forth in the Southeast Alaska sport fishery help to protect a high percentage of steelhead from harvest. With high exploitation rates and low numbers of returning adults, it is all the streams within the LAMP boundary that need special restriction to prevent over harvest.

**Effect of change on fish or shellfish populations:** This change will help protect low steelhead spawning populations from over harvest.

**Effect of change on subsistence users:** This change will help prevent over harvest, and is a step in the direction of protecting a renewable resource for future subsistence users to enjoy.

**Effect on other uses, i.e. sport/recreational and commercial:** This change will benefit sport/recreational users in the same way it does for subsistence users in that it helps to protect vulnerable streams within the Sitka Area LAMP from over harvest. Commercial users are not applicable for this fishery.

**Additional Information:**

**Proposed by:** Grant Hagerman, Sitka

**PROPOSAL FP07-26**

**Existing regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

**Proposed regulation: Southeastern Alaska Area – Steelhead**

*§\_\_\_\_.27(i)(13)(xxii) Unless otherwise specified in this §\_\_\_\_.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*( ) For the entire Salmon Lake drainage in Silver Bay including Salmon Creek and the outlet of Salmon Lake, the minimum size is 36" total length. Gear is restricted to rod and reel without bait. Snagging is not allowed with rod and reel.*

**Reason for changing the regulation:** Salmon Lake is not located on the road system however it is in close proximity to Sitka. This system regularly experiences a high amount fishing effort for steelhead due to its easy access. There have been a number of reports of illegal harvest of steelhead from this system in recent years including the spring of 2005. Whether this illegal harvest is from poachers disregarding current sport regulations or the failure to report on subsistence permits, the issue here is that there is an unknown amount of harvest occurring on a stream system in which population size is unknown. Because this system is high- use and federal managers do not currently conduct in-stream steelhead counts, Salmon Lake should be managed with the same conservative measures used on the Sitka road system.

**Effect of change on fish or shellfish populations:** Enacting this regulation will help to protect against over harvest of this highly pressured population of fish.

**Effect of change on subsistence users:** This regulation should not cause any hardship for subsistence users as there was reportedly no subsistence harvest from this system in 2005.

**Effect on other uses, i.e. sport/recreational and commercial:** All members of this community benefit from conservative management particularly in cases of highly impacted populations.

**Additional Information:**

**Proposed by:** Mike Vaughn, Sitka



FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS



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